

Entered - 7-30-01- sb
CL - 01L0497 - ALEXIS HOLMES

01- *E* -1375

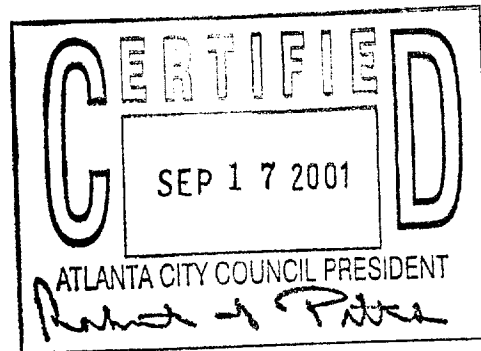
CLAIM OF: **EUGENE WILLIAMS**
6819 A - Panda Drive
Austell, Georgia 30168

For damages alleged to have been sustained as a result of vehicular
damages caused by a window that was blown out of a City building
during a wind storm on May 17, 2001 at 1541 Northside Drive.

THIS ADVERSE REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE SEP 17 2001



Chair 9-17-01
C. T. Martin
Sherry Dorsey
Clerk
Hunter

CERTIFIED
SEP 17 2001
[Signature]
DEPUTY MUNICIPAL CLERK



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

September 19, 2001

Eugene Williams
6819 A - Panda Drive
Austell, Georgia 30168

01-R-1375

Dear Mr. Williams:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 17, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0497

Date: 8/16/01

Claimant /Victim EUGENE WILLIAMS

BY: (Atty) _____

Address: 6819 A - Panda Drive Austell, Georgia 30168

Subrogation: _____ Claim for Property damage \$ 2,874.89 Bodily Injury \$ _____

Date of Notice: 7/30/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 5/17/01 Place: 1540 Northside Drive

Department Public Works Division: Solid Waste

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that he sustained vehicular damages when a storm blew out the window of a City building and damaged his vehicle. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee X Claimant X Other _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

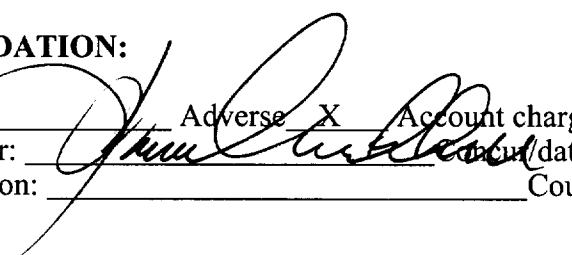
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  date 08/27/01

Committee Action: _____ Council Action _____

RCS# 3123
9/17/01
6:39 PM

Atlanta City Council

Regular Session

MULTIPLE
01-R-1375

Unfavorable Claims; Items 20-59

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

| | | | |
|-----------|------------|-----------|--------------|
| Y McCarty | Y Dorsey | Y Moore | Y Thomas |
| Y Starnes | NV Woolard | Y Martin | Y Emmons |
| Y Bond | Y Morris | E Maddox | NV Alexander |
| Y Winslow | Y Muller | Y Boazman | NV Pitts |

MULTIPLE